

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

SARAH GORDON,

Plaintiff,

vs.

**CREDIT CONTROL SERVICES, INC. d/b/a
CREDIT COLLECTION SERVICES,**

Defendants.

CASE NO.: 20-CV-1924

PETITION FOR REMOVAL

PETITION FOR REMOVAL OF CIVIL ACTION

PLEASE TAKE NOTICE that Defendant, Credit Control Services, Inc. d/b/a Credit Collection Services (hereinafter “Defendant” or “CCS”), by and through undersigned counsel, Gordon Rees Scully Mansukhani LLP, hereby removes to this Court the State Court action described below.

1. On September 30, 2020, Plaintiff Sarah Gordon (“Plaintiff”) filed an action in Circuit Court, Milwaukee County, State of Wisconsin, entitled and captioned: Sarah Gordon v Credit Control Services Inc. d/b/a Credit Collection Services, and assigned Case No. 2020-CV-005771.

2. Defendant was served by Acceptance of Service on November 19, 2020 providing forty-five (45) days to file a responsive pleading.

3. The following pleadings have been filed in this action to date and are attached hereto as Exhibit “A”:

a. Plaintiff’s Summons and Complaint.

4. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. §1332, and is one which may be removed to this Court by Defendant pursuant to the

provisions of 28 U.S.C. §1446(c) and 28 U.S.C. §1446(c)(2)(A)(i), in that it arises, in part, under the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.* (“FDCPA”) between parties with diversity of citizenship and where the initial pleading seeks nonmonetary relief.

5. The Circuit Court, Milwaukee County, State of Wisconsin, is located within the jurisdiction of the United States Court for the Eastern District of Wisconsin. This Court is the court embracing the place where the action is pending.

6. This Complaint is removable to the United States District Court for the Eastern District of Wisconsin, from the Circuit Court, Milwaukee County, State of Wisconsin, pursuant to 28 U.S.C. §1332 and §1446.

7. The Complaint alleges, in part, claims asserted under the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.* between parties with diversity of citizenship. This Court has jurisdiction over the parties on the basis of Diversity pursuant to 28 U.S.C. §1332(a) and 28 U.S.C. §1446(c) and 28 U.S.C. 1446(c)(2)(A)(i) as plaintiff’s initial pleading seeks nonmonetary relief. Moreover, pursuant to 28 U.S.C. §1367, this Court has supplemental jurisdiction over the various common law claims asserted by Plaintiff, because such claims arise out of the same alleged facts that underlie the federal claims, and thus, are so related to same that they form part of the same case or controversy.

8. Pursuant to 28 U.S.C. §1446(c), “A case may not be removed...more than 1 year after commencement of the action...”

9. Defendant has provided written notice of this Petition for Removal to Plaintiff by and through its counsel, and, additionally, filed a copy with the Circuit Court, Milwaukee County, State of Wisconsin, as required by 28 U.S.C. §1446(d).

WHEREFORE, Defendant removes to this Court the above-entitled action, now pending in the Circuit Court, Milwaukee County, State of Wisconsin, and requests that this action be placed on the docket of this Court for further proceedings as though this action had originally been instituted in this Court.

Dated this 30th day of December, 2020.

Respectfully submitted,

**GORDON REES SCULLY
MANSUKHANI, LLP**

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **Petition for Removal of Civil Action** has been served upon Plaintiff by and through her counsel on December 30, 2020, via electronic mail and/or United States First-Class mail, postage prepaid:

Dated this 30th day of December, 2020.

Respectfully submitted,

**GORDON REES SCULLY
MANSUKHANI, LLP**

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